



251

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert David Freeman, Thomas Edward Berg, David William Niss,  
Peter Jeffrey Raymond

Assignee: DataPlay, Inc. *H11*

Title: Tilt Focus Method And Mechanism For An Optical Drive

Serial No.: 09/815,377 Filing Date: March 21, 2001

Examiner: Unknown Group Art Unit: 2151

Docket No.: M-8745-1P US

**RECEIVED**

SEP 24 2002

San Jose, California  
September 16, 2002

COMMISSIONER FOR PATENTS  
Washington, D. C. 20231

*Technology Center 2100*

**INFORMATION DISCLOSURE STATEMENT UNDER  
37 C.F.R. § 1.97(c) WITH CERTIFICATION UNDER  
37 C.F.R. §§ 1.97(e)(1) and 1.704 (d)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicants wish to call the following documents (copies enclosed) to the attention of the Examiner for the above-identified patent application. The documents were first cited by in the Notification of Transmittal of the International Search Report of the Declaration for the corresponding foreign PCT Application No. PCT/US02/08562 dated March 19, 2002.

A form PTO-1449 listing these documents is enclosed.

Citation of the above documents shall not be construed as:

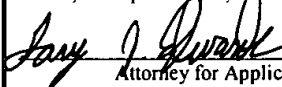
1. an admission that the documents are necessarily prior art with respect to the instant invention;

LAW OFFICES OF  
SKJERVEN MORRILL LLP  
25 METRO DRIVE  
SUITE 700  
SAN JOSE, CA 95110  
(408) 453-9200  
FAX (408) 453-7979

2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

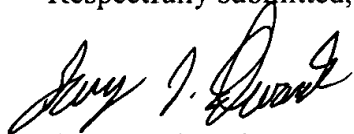
The undersigned hereby certifies in accordance with §§ 1.97(e)(1) and 1.704(d) that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement and this communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of this information disclosure statement.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on September 16, 2002.

  
Attorney for Applicants

9/16/02  
Date of Signature

Respectfully submitted,

  
Gary J. Edwards  
Attorney for Applicants  
Reg. No. 41,008

LAW OFFICES OF  
SKJERVEN MORRILL LLP

25 METRO DRIVE  
SUITE 700  
SAN JOSE, CA 95110  
(408) 453-9200  
FAX (408) 453-7979